

Remarks

Claims 1 through 4, 6 through 15 and 19 remain pending in the application. Claims 16 through 18 were withdrawn. Claim 5 is cancelled.

The Office Action rejects claims 1 through 15 and 19 under 35 U.S.C., 112, first paragraph, for failing to comply with the written description requirement. Claim 1 is amended to include the limitation that the transmittance in the visible spectral range is sufficient to allow viewing of the metal layer and identifiers under reflected light. Support for this language is found in the specification on page 7, 11. 22-27.

The Office Action rejects claims 1 through 15 and 19 under 35 U.S.C., 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Appropriate correction is made.

The Office Action rejects claims 1 through 15 and 19 as anticipated by Scanlin, Coded Identification Card, U.S. Patent 3,802,101 (Apr. 9, 1974) under the assertion that Scantlin discloses a security element comprising an aluminum core sheet (Scantlin's item 8) with identifiers in the form of patterns of holes (Scantlin's item 6), in which the metal layer is disposed between translucent coating layers (Scantlin's items 10 and 12) which have sufficiently low transmittance to obscure the coded regions. The Office Action also rejects claims 1 through 15 and 19 as obvious over Scantlin, under the assertion that the low transmissibility of Scantlin's coating layers likely falls below the 10% and 5% recited in claims 1 and 2.

Scantlin does not anticipate or render claim 1 obvious because Scantlin does not disclose a metal layer into which identifiers are introduced, by a laser beam through a local transformation of the metal into a transparent or translucent modification. Scantlin discloses a coded identification card that includes a core sheet 8 and outer adherent cover sheets 10 and 12 for the core sheet. The core sheet may constitute a metal layer and contains coded areas in the form of punched holes 4 (See Fig. 4) or dots 18 (See Fig. 5) that are contained or printed on the core sheet. The holes disclosed in Fig. 4 are areas on the core sheet where material is removed. Instead, applicant's amended claimed invention requires that the identifiers are introduced by a laser beam through a local transformation of the metal into a transparent or translucent modification of the metal. In applicant's amended claimed invention, the material is still present on the metal layer, only the optical properties of the material are modified to be transparent or translucent. Thus, the holes or removed area of Scantlin do not disclose the modified metal layer as claimed by the applicant. Therefore, because at least one claimed limitation is missing, Scantlin does not anticipate the amended claimed invention.

Also Scantlin does not disclose identifiers whose transmittance in the visible spectral range is sufficient to allow viewing of the metal layer and identifiers under reflected light. In col. 6, ll. 66-68, Scantlin discloses that the dots 18 arranged on the core sheet have a lower transmissivity than the remainder of the core sheet. An area of lower transmissivity does not disclose applicant's amended claimed invention where the identifiers have a higher transmissivity than the remainder

of the metal layer. Therefore, because at least one claimed limitation is missing, Scantlin does not anticipate the amended claimed invention.

Additionally, there is no motivation to modify Scantlin as proposed. The holes of Scantlin are punched in the core sheet 8 and the core sheet is then covered with cover sheets 10 and 12. The information represented by holes 6 must be already known at the production time. As Scantlin discloses in col 5, ll. 49-51, the identifiers must use information known already at production time that are disclosed as preselected coded regions of the core sheet. Instead, applicant's amended claimed invention discloses that the identifiers are introduced by a laser beam at the end of the production process or at the time when the different layers of the multilayer element are already laminated together. This allows the security element to be produced at the manufacturer's site but be personalized at a later time and place. For example, blank identification cards can be manufactured at a first location and can be personalized later at a different location. This eliminates the need for the identification data to be known or transmitted to the manufacture's site, thus providing greater security. There would be no motivation to combine unknown identifiers to Scantlin. Therefore, because there is no motivation to modify Scantlin as proposed, Scantlin does not render the claimed invention obvious.

Also, there is no motivation to introduce the identifiers by laser beam instead of punching because one of the advantages of Scantlin would be eliminated. In col. 7, ll. 39-44, Scantlin discloses that the holes are partially closed due to the plastic flow of the material in the cover sheets and the coating sheets

due to the effect of heat and pressure with plastic forced into the holes. In col. 7, ll. 52-56, Scantlin further discloses that the plastic flow of material into the holes provides greater strength to the identification card by providing better bonding between the metal sheet, the overlying plastic layers and the cover sheets. If the holes of Scantlin were modified by introduction of identifiers via laser beams, a distinct advantage of Scantlin would be desytoyed. Therefore, because there is no motivation to modify Scantlin as proposed, Scantlin does not render the claimed invention obvious.

The remaining claims are dependent on claim 1, and should be allowable as dependent on an otherwise allowable base claim.

Conclusion

This response has addressed all of the Examiner's grounds for rejection. The rejections based on prior art have been traversed. Reconsideration of the rejections and allowance of the claims is requested.

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